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By **September 14, 2023**, Defendants shall file a response to Plaintiff's letter-motion at ECF No. 33.

SO ORDERED 9/11/2023


SARAH L. CAVE
United States Magistrate Judge

VIA ECF ONLY

Hon. Sarah L. Cave, U.S.M.J.
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007-1312

Re: *Patel v. Clane Gessel Studio et al.*
Case No. 22-cv-10964

Dear Magistrate Judge Cave:

We are counsel for plaintiff Amit Patel ("Plaintiff" or "Patel") in the above-captioned matter. We write to the Court now in search of an order compelling defendants to meet and confer with this office in connection with Fed. R. Civ. P. ("Rules") 26(f). As explained below, and despite plaintiff's repeated efforts to engage defendants, defendants refuse to participate in a planning conference.

Relevant Factual Background

On August 10, 2023, this Court issued an order instructing the parties to advise whether they were willing to consent to conducting all further proceedings before Your Honor pursuant to 28 U.S.C. § 636(c). (ECF No. 31.) The parties in turn met and conferred via telephone on August 22, 2023 and later advised the Court on August 23, 2023 that they did not consent. (ECF No. 32.) During that same August 22nd call, the undersigned asked plaintiff to identify dates and times for the parties to conduct their Rule 26(f) conference. Counsel for plaintiff, Kyle Mitchell, agreed that he would do so and thereafter confirmed the same via email. (A copy of the parties' email correspondence dated August 22 and 23, 2023 is attached hereto as Exhibit 1.)

On August 29, 2023, having not heard from counsel for defendants despite his prior representation on August 23rd that proposed dates and times would follow before August 29th, this office again wrote to defendants. (A copy of the plaintiff's email to defendants dated August 29, 2023 is attached hereto as Exhibit 2.) This email was never responded to despite that it as well as plaintiff's email of August 22, 2023 were